

each with the time equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I further ask unanimous consent that the Senate stand in recess from the hours of 12:30 to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. HUTCHISON. For the information of all Senators, the Senate will be in a period of morning business until 12:30 p.m. tomorrow. Following morning business, the Senate will recess for the weekly party conference lunches. In the afternoon the Senate is expected to begin consideration of several cabinet nominations. Senators therefore can expect votes with respect to these cabinet nominations during tomorrow afternoon's session of the Senate.

ORDER FOR ADJOURNMENT

Mrs. HUTCHISON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the provisions of S. Res. 12, following the remarks of Senator STABENOW and Senator REID.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

(The remarks of Mr. REID pertaining to the introduction of S. 104 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Senator NELSON of Florida assumed the chair.)

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I ask unanimous consent to speak as in morning business for as much time as I desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ANTIQUITIES ACT

Mr. NICKLES. Mr. President, I rise to be critical of President Clinton's recent actions dealing with the Antiquities Act in declaring millions of lands national monuments. He did this without consulting with the Governors, without consulting with elected officials, without consulting Congress. I believe that to be almost an act of contempt of Congress and certainly in defiance of what is considered the Antiquities Act and the purpose of the Antiquities Act.

The Antiquities Act was written in 1906. It was established at that time to protect very special historic, beautiful lands from development. It is a short act, and I will have it printed in the RECORD at the conclusion of my speech.

The whole purpose of the act President Clinton has defied. It does not say he is King or that he can take an unlimited amount of lands without consulting Congress or elected officials or local officials and say, we declare this a national monument so you cannot touch it and we don't care what you think.

I was amused when I noticed the Washington Post and other media said President Clinton was being active in the final days as President of the United States. He was more than active when acting in a way I believe certainly exceeded the statutory language of the Antiquities Act. Certainly he was being more than active when he defied logic and did not consult elected officials. I think he abused the Antiquities Act and his actions prove that it needs to be reformed.

When I read it, I wonder where he gets this authority. I think he exceeded the authority of the act. The authority of the act says:

The President of the United States is authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic and scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

And it continues.

The media reported that President Clinton has created more national monuments than any other President going back to Theodore Roosevelt. I looked back and Theodore Roosevelt didn't do as much as President Clinton in the last month or certainly since the last election. Theodore Roosevelt, through his actions, did a total of 1.5 million acres. President Clinton did 2 million acres after the election. Why did he do it after the election? Is it because there were hundreds of thousands of acres he did not consult with people? He didn't ask the elected officials. He said: This is what we will do; we will declare a national acres monument. All together he has declared 5.7 million in national monuments.

I mention the elections because obviously President Clinton used this act for election purposes. He did it in September of 1996 right before the election, I might mention, and it dealt with the Grand Staircase-Escalante National Monument, 1.7 million acres, right before the election in 1996. He announced it in Arizona, overlooking the Grand Canyon. That is interesting, but the Grand Escalante is not in Arizona; it is in Utah. Utah officials were outraged because they were not consulted. The resources involved mineral deposits

and coal, the value of which were billions of dollars and thousands of jobs. He did not consult with anybody in Utah. There was public outrage, but nothing happened. President Clinton did not declare any national monuments in 1997, not in 1998, not in 1999.

Then we come to election year 2000 and President Clinton used a lot of declarations of national monuments in the year 2000 and particularly in the last couple of months. In the year 2000, all together he has done a total of over 4 million acres. Since the election, over 2 million acres. In the last week, on January 17, he made eight more designations, just a few days ago, in his last week of office, of over 1 million acres. He didn't consult with anybody.

In the House, we have a committee that deals with lands issues, and in the Senate we have a committee that deals with land and national resources, the Energy and Natural Resources Committee, a bipartisan committee, working on land issues all the time. We pass literally hundreds of bills through the committee. That committee passes more bills than any other committee in the Senate. We deal with the bills, particularly land issues, on a bipartisan basis. Most of the time on land issues we listen to the home State Senators. If they recommend a parcel of land be designated as a wilderness or national monument, we listen to the Senators and we know they are held accountable in their States. So we give them great respect and deference.

President Clinton didn't consult with Members of the Senate, and didn't consult with the Energy and Natural Resources Committee; didn't consult with the House Resources committee. He just designated a national monument. Maybe he did it right and maybe he didn't do it right. My guess is he is bound to have made mistakes trying to appease groups, perhaps environmental activists—I don't know.

I may well agree with many of these. I happen to be a preservationist. I happen to be a conservationist. I love the outdoors. I have been in the Colorado River. I love to hike. I love to camp. I love to be outdoors as much as anybody. I love to hike on trails. I love our natural resources.

What I don't like is a dictator. What I don't like is an emperor. What I don't like is to have a Presidential fiat, saying we will designate, and we don't care what the public thinks. We don't care what the elected officials think. We don't care what the Governors think. That is what I really object to.

I make the statements in great dissatisfaction with former President Clinton because he showed contempt of Congress, contempt of the Constitution, contempt of the people who live in those districts.

I think Congress should look at some of these recent declarations and have hearings. Did he draft these declarations correctly? Are the boundaries right? Are they too big? Are they too restrictive? Do they make sense? What

is the economic consequences on the local city and towns and communities? What does this mean for their taxes? What does this mean for future royalties? What does this mean to Indian tribes? What does it mean for him to take these millions of acres and designate them a national monument? I may agree with each one. I disagree with the process.

Again, I think it is very much in violation of the Antiquities Act, very much in violation of the intentions of the Antiquities Act, very much an abuse of his office as President of the United States. There is no comparison to previous Presidents and what they have done.

I will have printed in the RECORD a list of all Presidents since the inception of the Antiquities Act, starting with Theodore Roosevelt, all the way through listing every President and the number of acres they had designated during their terms of office as national monuments. It shows no President has done as much as President Clinton, with the exception of President Carter when there was an enormous amount of land in the State of Alaska that was declared a national monument.

Other than that one act, President Clinton had exceeded any other President by multiples of at least two, three, four, or many times more. President George Herbert Walker Bush had zero acres. President Ronald Reagan had zero acres. President Jimmy Carter, I mentioned Alaska lands issued, so that was different. Gerald Ford had 86 acres. Richard Nixon had zero acres. Lyndon Johnson had 344,000 acres. President Clinton did more than 10 times L.B.J. John Kennedy did 26,000 acres; President Clinton did almost 5.7 million acres. John Kennedy did 26,000 acres. This was a Land grab, a power grab, but more than that, I believe it was an unconstitutional expansion of the Antiquities Act.

I think he exceeded his constitutional power and I regret it. I think it was a mistake. I think it shows contempt of Congress. Why did he wait until after the election? Possibly because there would be a real significant uproar in these States for failing to consult them.

Under the way President Clinton has misused and, I believe, abused the act, he has acted more like an emperor than President of the United States.

I ask unanimous consent a list showing President Clinton's use of the 1906 Antiquities Act and other Presidents and their use of the Antiquities Act in addition to copies of the Antiquities Act and the limitations and the situation dealing with Alaska and Wyoming be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESIDENT CLINTON'S USE OF 1906 ANTIQUITIES ACT

William Jefferson Clinton (1993–Present)	Estimated acreage	Date established
Grand Staircase-Escalante National Monument ..	1,700,000	09–18–96

PRESIDENT CLINTON'S USE OF 1906 ANTIQUITIES ACT— Continued

William Jefferson Clinton (1993–Present)	Estimated acreage	Date established
Aquafria National Monument	71,100	01–11–00
California Coastal National Monument	7,000	01–11–00
Grand Canyon-Parashant National Monument	1,014,000	01–11–00
Pinnacles National Monument	7,900	01–11–00
Giant Sequoia National Monument	327,769	04–15–00
Canyon of the Ancients	164,000	06–09–00
Cascade-Siskiyou National Monument	52,000	06–09–00
Hanford Reach National Monument	195,000	06–09–00
Ironwood Forest National Monument	129,000	06–09–00
President Lincoln National Monument	2	07–07–00
Vermilion Cliffs National Monument	293,000	11–09–00
Craters of the Moon National Monument	661,000	11–09–00
Upper Missouri River Breaks	337,000	01–17–01
Pompeys Pillar	51	01–17–01
Carrizo Plain	204,000	01–17–01
Sonoran Desert	486,000	01–17–01
Kasha-Katuwe Tent Rocks	4,100	01–17–01
Minidoka Internment National Monument	73	01–17–01
U.S. Virgin Island Coral Reef National Monument	12,708	01–17–01
Buck Island Reef National Monument	18,135	01–17–01
Total	5,683,838	

PRESIDENTS AND THE ANTIQUITIES ACT

President	Total acreage
Theodore Roosevelt	1,529,418
William H. Taft	32,631
Woodrow Wilson	1,202,913
W.G. Harding	9,555
Cavin Coolidge	2,634,226
Herbert Hoover	2,125,720
Franklin Delano Roosevelt	2,626,559
Harry S. Truman	27,954
Dwight D. Eisenhower	–22,530
John F. Kennedy	26,128
Lyndon B. Johnson	344,674
Richard M. Nixon	0
Gerald R. Ford	86
Jimmy Carter	55,975,000
Ronald W. Reagan	0
George Herbert Walker Bush	0
William Jefferson Clinton	5,683,838

ANTIQUITIES ACT

16 USC Sec. 431

TITLE 16—CONSERVATION

CHAPTER 1—NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES

Subchapter LXI—National and International Monuments and Memorials

Sec. 431. National monuments; reservation of lands; relinquishment of private claims

The President of the United States is authorized in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected. When such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.—(June 8, 1906, ch. 3060, Sec. 2, 34 Stat. 225.)

LIMITATION ON FURTHER EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN WYOMING

16 USC Sec. 431a

TITLE 16—CONSERVATION

CHAPTER 1—NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES

Subchapter LXI—National and International Monuments and Memorials

Sec. 431a. Limitation on further extension or establishment of national monuments in Wyoming

No further extension or establishment of national monuments in Wyoming may be undertaken except by express authorization of Congress.—(Sept. 14, 1950, ch. 950, Sec. 1, 64 Stat. 849.)

ALASKA NATIONAL INTEREST LANDS CONSERVATION

16 USC Sec. 3213

TITLE 16—CONSERVATION

CHAPTER 51—ALASKA NATIONAL INTEREST LANDS CONSERVATION

Subchapter VI—Administrative Provisions

Sec. 3213. Future executive branch actions

(a) No further executive branch action which withdraws more than five thousand acres, in the aggregate, of public lands within the State of Alaska shall be effective except by compliance with this subsection. To the extent authorized by existing law, the President or the Secretary may withdraw public lands in the State of Alaska exceeding five thousand acres in the aggregate, which withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress. Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress.

(b) No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.—(Pub. L. 96–487, title XIII, Sec. 1326, Dec. 2, 1980, 94 Stat. 2488.)

Ms. STABENOW. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Ms. STABENOW. Mr. President, it is a great honor and privilege for me to be standing before the Senate to speak for the first time since becoming a Senator from the State of Michigan. I also am very humbled to be only the 40th Senator from our great State to ever serve in this institution. I am very proud of that.

I wish to speak about an important health care issue today and reference the fact that I have been involved in health care issues for over 20 years, starting, in fact, with my public service and involvement in politics, having been involved in an effort in my community, in Lansing, MI, to save a nursing home. We brought citizens together from all across the community, spoke out, and were able to keep that nursing home open that had been slated for closure. It was that beginning that got me